

**MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION COMMISSION**

In the Matter of:)	
)	
AA QUARRY LLC)	Proceeding Under
AA Quarry Site # 2462)	The Land Reclamation Act,
Johnson County, Missouri,)	Sections 444.760 – 444.789, RSMo
New Site Permit Application)	
)	
DAVID EARLS, et al,)	
<i>Petitioners,</i>)	
)	
v.)	Permit # 1094
)	
DEPT. OF NATURAL RESOURCES,)	
KEVIN MOHAMMADI,)	
Staff Director,)	
Land Reclamation Program,)	
Division of Environmental Quality,)	
<i>Respondent,</i>)	
)	
AA QUARRY LLC.,)	
<i>Applicant,</i>)	
)	

MEMORANDUM ON MATTERS PENDING

Proposed Stipulation of Uncontested Material Facts

Applicant and Respondent have filed their Proposed Stipulations of Uncontested Material Facts. Petitioners are given until and including November 8, 2013 to file their Proposed Stipulation of Uncontested Material Facts for any matters deemed to not be addressed in the Proposals of Applicant and Respondent. Upon receipt of Petitioners' filing, the Hearing Officer will prepare a Proposed Stipulation on Uncontested Material Facts. Each party will be given opportunity to review same and submit their responses and objections.

Answers to Pleadings

Applicant and Respondent have filed their Answers to Petitioners' Pleadings as previously ordered.

**Applicant's Motion to Exclude Evidence of Issues Outside
of the Land Reclamation Commission's Jurisdiction**

and to Dismiss any Claims Relative Thereto and Memorandum in Support

Applicant has filed its Motion to Exclude and Memorandum in Support. Respondent has filed his Response, concurring in said Motion and Memorandum. Petitioners are to file their Response on or before October 28, 2013. Applicant is to file any Reply on or before November 12, 2013. Matter has previously been taken under advisement.

SO ORDERED October 8, 2013.

MISSOURI DEPARTMENT OF NATURAL RESOURCES



W. B. Tichenor, DNR – Hearing Officer
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Certification of Service

I hereby certify a copy of foregoing has been sent via email this 8th day of October, 2013,
to:

Attorneys:

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W. B. Tichenor
DNR – Hearing Officer